

HUMAN SERVICES



This Legislative Summary Report highlights Human Services policy measures that received a public hearing during the 2021 Regular Legislative Session. The report is organized by sub-topics and includes the measure number; the measure status: enacted [✓] or not enacted [✗]; and a brief description of the measure.

Human Services policy sub-topics:

- Abuse Reporting and Investigations
- Background Checks
- Child Welfare
- Food Insecurity
- Supported Care Settings
- Tax Credits and Deferral
- Other Legislation

Abuse Reporting and Investigations

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| SB 89 | ✓ | Modifies definition of "developmental disabilities residential facility" for consistency with provisions governing the reporting and investigation of suspected abuse. |
| SB 135 | ✓ | Adds the Oregon Youth Authority to the list of entities that law enforcement may disclose information to concerning investigations of suspected child abuse. |
| SB 265 A | ✗ | Directs Department of Human Services to ensure that residential program personnel serving publicly placed children are trained in nonviolent crisis intervention. |
| SB 386 | ✓ | Directs law enforcement to report to the legislature on parental notification policies when child witnesses are interviewed. |
| SB 515 | ✓ | Requires service permit holders employed by certain businesses in the alcohol industry to report suspected trafficking or unlawful employment of minors to the Oregon Liquor Control Commission and law enforcement. |
| SB 535 | ✗ | Would have included hotel and innkeepers as mandatory reporters of suspected child abuse and would have required technicians and processors of suspect imagery to report it in the same manner as mandatory reporters. |
| SB 663 | ✗ | Would have altered a number of practices with respect to confidentiality, interviews, and the provision of certain records of investigations of suspected |

Abuse Reporting and Investigations, cont'd

child abuse. Would also have prohibited haircuts, medications, vaccinations, and birth control for youth under 14 in protective custody absent parental consent.

- SB 710 ✓ Strengthens and codifies existing rules with respect to the prohibited use of restraint or involuntary seclusion against children in certain care facilities and homes, and establishes required training and certification program for permissible applications. Also subjects secure transportation service providers to regulation.
- HB 2106 ✗ Would have renamed the Office of Children's Advocate, the "Office of the Human Services Ombuds," and the position of Children's Advocate, the "Human Services Ombudsperson," and would have combined their functions.
- HB 2155 ✓ Clarifies that the mandatory reporting exemption for stand-alone domestic violence and sexual assault programs includes programs nested within larger organizations that have a broader purpose.
- HB 2749 ✗ Would have permitted school boards to designate more than one employee to receive reports of suspected abuse, specified the training for these designated employees, and the procedures they should follow when a report was received. Would have prohibited designated employees from investigating reports of suspected abuse.
- HB 2826 ✗ Would have made appropriation to Department of Justice for distribution by the Child Abuse Multidisciplinary Intervention Program to support local and regional child advocacy centers.
- HB 2830 ✗ Would have made appropriation to the Higher Education Coordinating Commission for the University of Oregon to conduct periodic child abuse prevalence studies and report to the legislature.
- HB 3071 ✓ Expands mandatory reporters to include all state and local elected officials.

Background Checks

- SB 49 A ✗ Would have required employment-related child care program personnel (also known as Employment-Related Day Care) to be enrolled in the Central Background Registry.
- SB 50 A ✗ Would have required recorded program personnel for preschool and school-age children to be enrolled in Central Background Registry.

Background Checks, cont'd

- SB 280 ✓ Includes boating under the influence within prohibition against certain agencies considering single convictions for misdemeanor drinking and driving within the past five years that are disclosed as part of a care provider's criminal history.
- SB 757 ✓ Makes conditional enrollment in the Central Background Registry available only to persons waiting for completion of a federal background check who have also completed specified criminal background checks in Oregon or their state of residence.

Child Welfare

- SB 4 ✓ Modifies the System of Care Council's duties and authority and requires the first biennium report, developed by the Department of Human Services, Oregon Health Authority, and the Council, to be submitted on December 31, 2021.
- SB 85 ✓ Continues and refines implementation of qualified residential treatment program requirements consistent with federal Family First Prevention Services Act. Declares antidiscrimination policy with respect to recipients of child welfare services.
- SB 92 ✗ Would have applied Juvenile Code confidentiality and disclosure requirements to reports and records generated during investigations of suspected abuse of "children in care" conducted pursuant to child welfare statutes.
- SB 279 ✓ Requires Department of Human Services to avoid scheduling foster children's visitation time with parents in conflict with school or school activities, and to collect specified information and report to the legislature.
- SB 517 ✗ Would have required the Department of Human Services to inform the person with legal custody of a child that has been taken into protective custody, why the child was removed and what steps the person might be expected to take for the child to be returned.
- SB 562 ✓ Continues implementation of and compliance with federal Indian Child Welfare Act. (See also HB 3182 A and SB 85)
- HB 2104 A ✗ Would have narrowed the definition of "current caretaker" to remove those who care for wards who have a concurrent plan, leaving those who meet all other criteria, who care for wards who have a permanency plan of adoption.
- HB 2108 ✓ Removes the requirement that Department of Human Services license independent residence facilities with six or more occupants as child-caring agencies and makes it discretionary instead.

Child Welfare, cont'd

- HB 2333 ✓ Directs Department of Human Services to report information regarding prescription of psychotropic medications to children in foster care.
- HB 2340 ✗ Would have made appropriation to the Department of Human Services to expand independent living program services for transition-aged foster youth to support successful exit from foster care.
- HB 2387 ✗ Would have replaced the Department of Administrative Services' existing discretion to contract with requirement to contract with a statewide nongovernmental coordinating entity to manage and oversee the Court Appointed Special Advocate Volunteer Programs and services.
- HB 2424 A ✗ Would have made appropriation and directed the Department of Human Services to establish a child-caring agency grant and training program and established the Child Welfare Cultural Equity Program to improve access to diverse child welfare providers.
- HB 2505 ✓ Establishes the Child Welfare Equity Advisory Committee in the Governor's Child Foster Care Advisory Commission to improve equitable treatment of those in foster care.
- HB 2738 ✓ Requires the Oregon Department of Administrative Services to contract with a nongovernmental statewide coordinating entity to oversee the Court Appointed Special Advocate (CASA) Volunteer Program and services. Conditions disbursements by coordinating entity to CASA Volunteer Programs on annual submission of diversity, equity, inclusion, and accountability plan.
- HB 2754 ✗ Would have appropriated an unspecified amount to the Department of Human Services for domestic violence specialists in child welfare offices.
- HB 3182 A ✗ Would have built on HB 4214 (2020, 1st Special Session), making technical corrections and adding direction regarding the adoption of Indian children, including tribal customary adoptions.
- HB 3366 ✗ Would have established seven additional Family Treatment Court Programs, expanded services, and appropriated funds. Directed the Public Defense Services Commission to establish a Parent-Child Representation Program.

Food Insecurity

- SB 440 ✗ Would have provided for expansion of "Double Up Food Bucks" program whereby recipients of Supplemental Nutrition Assistance Program (SNAP) benefits access local produce. (See [SB 555](#))

Food Insecurity, cont'd

- SB 555 ✗ Would have provided for expansion of “Double Up Food Bucks” program whereby Supplemental Nutrition Assistance Program (SNAP) recipients access local produce.
- HB 2292 ✗ Would have appropriated funds and required that the Department of Human Services contract with a nonprofit organization to aid eligible persons with funds for purchase of local produce.
- HB 2833 ✗ Would have allocated funds to increase the capacity of the Oregon Hunger Task Force.
- HB 2834 ✓ Adjusts the composition of the Oregon Hunger Task Force to achieve approximately one-third representation each: from communities most impacted by food insecurity, from key advocacy groups, and from legislative and executive branches of government.

Supported Care Settings

- SB 86 ✓ Makes agencies’ authority to take regulatory action against residential training homes and residential training facilities explicit.
- SB 88 ✓ Corrects several statutory cross-references to community developmental disabilities programs.
- SB 90 ✓ Exempts addresses of individuals with intellectual or developmental disabilities, who live in certain residential settings, from disclosure pursuant to a public records request unless disclosure is required in the public interest.
- SB 97 ✓ Prohibits compelled testimony or documents from the Residential Facilities Ombudsman's office in proceedings arising from complaints made to the office concerning residents.
- SB 266 ✓ Requires the Department of Human Services to assess whether certain care facilities consistently meet residents' needs as required and adjusts its investigation of complaints of inadequate staffing.
- SB 556 ✓ Specifies that site inspections of certain care facilities and programs must be conducted in person.
- SB 703 ✓ Adds direct care worker to Quality Measurement Council and requires Department of Human Services to publish information about management changes at specified facilities and to study and report to the legislature on direct care compensation.

Supported Care Settings, cont'd

- SB 714 ✓ Requires Department of Human Services to: pilot the acuity-based staffing tool it is already required to provide by a certain date; establish minimum requirements for tools adopted by facilities in lieu of using the tool it is required to provide; begin facility staffing assessments; and take specified regulatory actions against noncompliant facilities.
- SB 725 ✗ Would have prohibited organizations with financial interests, or previously revoked licenses, from being licensed to manage supported residential settings or programs for individuals with intellectual or developmental disabilities.
- SB 749 ✓ Subjects residential care referral agents to regulation.
- HB 2394 A ✗ Would have directed certain congregate living facilities to establish isolation prevention plans in case of emergency.
- HB 2397 ✓ Creates Senior Emergency Medical Services Innovation Program in the Department of Human Services (DHS) and a corresponding advisory body to support pilot projects concerned with emergency medical services for residents who are aging in long term and residential care facilities, and report to the legislature. The measure also prohibits local governing bodies from taking local action affecting long term or residential care facilities already regulated by DHS.
- HB 2964 A ✗ Would have directed the Department of Human Services to reimburse provider agencies for the cost of paying direct support professionals for certain facilities at wages that are at least 150 percent of the minimum wage and to adjust for inflation.
- HB 3116 ✗ Would have directed the Department of Human Services to study more equitable funding structures for county-based community developmental disabilities programs and report to the legislature.

Tax Credits and Deferral

- SB 142 ✗ Would have continued tax credit for child with disability.
- SB 144 ✗ Would have continued tax credit for severe disability.
- SB 146 ✗ Would have continued tax credit for working family dependent care.
- HB 2440 ✗ Would have continued tax credit for working family dependent care.
- HB 2442 A ✗ Would have continued tax credit for severe disability.




Tax Credits and Deferral, cont'd

- HB 2444 ✗ Would have continued tax credit for child with disability.
- HB 2454 ✗ Would have continued homestead property tax deferral program.
- HB 2551 A ✗ Would have continued and modified tax credits for contributions to individual development accounts.
- HB 2721 ✗ Would have continued modified and expanded tax credit for working family household and dependent care expenses.

Other Legislation

- SB 93 ✓ Renames and relocates the Child-Caring Agencies Account within the General Fund to avoid monthly fees assessed against funds held separately from the General Fund.
- SB 717 ✗ Would have increased Supplemental Nutrition Assistance Program (SNAP) benefits by \$10 a month for personal hygiene items.
- SB 718 ✗ Would have provided for the continuation of refugee support services, employment, and workforce development.
- SB 721 ✓ Authorizes existing members of the Consumer Advisory Council to select new members.
- HB 2102 ✓ Requires Department of Human Services to submit a staffing proposal.
- HB 2107 ✓ Requires county supervisory authorities to notify the Oregon Health Authority and the Department of Human Services about persons in custody in order to timely suspend publicly funded assistance during periods of incarceration.
- HB 2119 ✓ Transfers responsibility for administration of the 2-1-1 system from Office of Emergency Management to Department of Human Services (DHS), and enables DHS to receive federal funds intended for system administration.
- HB 2151 ✗ Would have established a task force to coordinate and provide leadership to increase the inclusion of persons with intellectual and developmental disabilities in the State of Oregon workforce. Directed the Department of Human Services to establish the State as Model Employer Program to encourage, educate, and assist state agencies in hiring individuals with intellectual and developmental disabilities.
- HB 2348 ✗ Would have required hospitals, long term care facilities, and the Department of Corrections to offer plant-based nutrition and would have banned processed meats.

Other Legislation, cont'd

- HB 2595 A  Would have required Department of Human Services to analyze internal staff workloads for divisions serving seniors and persons with disabilities and update every two years.
- HB 2739  Temporarily expands eligibility for, and increases appropriation to, the Oregon Energy Assistance Program.
- HB 3039 A  Would have directed the Health Information Technology Oversight Council to convene work group(s) to explore the delivery of social services as well as health care using Electronic Health Record systems.